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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,566	03/17/2004	Yong-Chol Kwon	IK-0086	3451
34610	7590	10/18/2006	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			MCCRAW, BARRY CLAYTON	
			ART UNIT	PAPER NUMBER
			3744	

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/801,566

Applicant(s)

KWON, YONG-CHOL

Examiner

B. Clayton McCraw

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 8/14/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 18, 21 and 24 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-5, 7, 8, 11-17, 19, 20, 22, 23 and 25-29 is/are allowed.
- 6) ☒ Claim(s) 1, 6, 9 and 10 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 1, 6, 9, and 10 have been considered but are moot in view of the new ground(s) of rejection. This action has been made non-final in order to allow applicant to respond to new rejections.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. Claims 1, 6, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Unger (US 5,526,854) in view of Zeligson (US 6,067,738). Unger explicitly teaches a refrigerator door comprising an outer case forming the front appearance of a door (Figure 2, front of item 19), an inner case forming a rear appearance of the refrigerator

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(Figure 2, rear of item 19), an insulation layer (Figure 3, 19) disposed between the outer case (Figure 3, 28) and the inner case (Figure 3, 29), a dispenser (12) including a housing (26), and is formed with a recess section (col.4, lines 1-3), an actuating lever (46) installed in the recess section of the housing for a discharge operation of water or ice from the dispenser and a driving level installed so as to open or close the ports according to actuating force of the actuating lever (col. 4, lines 28-60), the recess section of the housing formed with an opening section allowing water or ice cubes discharged from the water port or ice cube port to be introduced into the recess section (Figure 3), and an opening section for allowing water or ice cubes discharged from the water port or ice cube port to be introduced into the recess section (Figure 3, 23 and 63). Unger fails to teach an external plate section coupled to the front surface of the outer case to form an external appearance of the refrigerator door. Zeligson explicitly teaches an external plate section removably coupled to the front surface of the outer case to form an external appearance of the refrigerator door (Figure 1, item 15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the refrigerator of Unger with the external plate of Zeligson because adding external covers to a household object like a refrigerator increases its visual appeal (col. 1, lines 45-50).

The examiner notes that although Unger does not explicitly disclose the dispenser being detachably coupled to the outer surface of the refrigerator, any coupled item that can be assembled can also be disassembled, and thus, is inherently a detachably coupled object.

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5. Claims 9 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Unger (US 5,526,854) in view of Zeligson (US 6,067,738) and in further view of Lee (5,881,930). Unger and Zeligson explicitly teach the elements of the present invention as described above, but fail to teach a guide bar guiding the movement of the actuating lever. Lee explicitly teaches a guide bar guiding the movement of the actuating lever (item 540). It would have been obvious at the time the invention was made to combine the refrigerator as taught by Unger and Zeligson with the guide bar as taught by Lee, since the Lee lever is expressly meant to be used in combination with water dispensers in refrigerators for facilitating guided movement of an actuating lever.

#### ***Allowable Subject Matter***

6. Claims 3-5, 7, 8, 11-17, 19, 20, 22, 23, and 25-29 are allowed.
7. Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to B. Clayton McCraw whose telephone number is (571) 272-3665. The examiner can normally be reached on M-F 8:30AM-5:00PM.
9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl Tyler can be reached on (571) 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



BCM  
10/14/2006



MELVIN JONES  
PRIMARY EXAMINER